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IN THE

Supreme Court of the United States

October Term, 1957

No. 783

LEONARD D. SPEED, JOSEPH SPAGNA and JOHNNY HERNDON,

Petitioners,

—v.—

THE CITY OF TALLAHASSEE, FLORIDA,

Respondent.

PETITION FOR WRIT OF CERTIORARI TO THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT OF THE STATE OF FLORIDA, TALLAHASSEE, FLORIDA

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PETITION FOR WRIT OF CERTIORARI TO THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT OF THE STATE OF FLORIDA, TALLAHASSEE, FLORIDA

Petitioners pray that a Writ of Certiorari issue to review the judgment of the Circuit Court of the Second Judicial Circuit of the State of Florida at Tallahassee, Florida, entered November 18, 1957, in the above entitled cause.

Opinions Below

The opinion of the Municipal Court of the City of Tallahassee, Florida which was rendered when it denied petitioners' motion for a directed verdict appears on page 74 of the certified transcript of the proceedings in the Municipal Court of the City of Tallahassee, Florida, and is printed in Appendix A, *infra*. No other opinion was rendered by that court. No opinion was rendered by the Cir-

cuit Court of the Second Judicial Circuit other than that which is contained in its judgment affirming the judgment of the Municipal Court which appears on page 19 of the certified record in the Circuit Court and which is printed in Appendix B, *infra*. The Circuit Court rendered no opinion upon denying petitioners' motion for review of judgment on appeal other than that contained in its order denying said motion and which appears on page 25 of the record in the Circuit Court and which is printed in Appendix C, *infra*. These opinions are not officially reported.

Jurisdiction

Petitioners seek to have this Court review the judgment of the Circuit Court of the Second Judicial Circuit of the State of Florida which affirmed the judgment of the Municipal Court of the City of Tallahassee, Florida, holding Ordinance No. 741 of the City of Tallahassee, Florida constitutional and adjudging petitioners guilty of a violation of the ordinance. The Circuit Court's judgment was rendered and entered on November 15, 1957. Petitioners' motion for review of Circuit Court's final judgment on appeal was denied on November 18, 1957. The Circuit Court was the highest court of the state in which a decision could be had in this case.[1] Petitioners, having challenged the ordinance as repugnant to the due process and equal protection clauses of the Fourteenth Amendment to the Constitution of the United States in both the Municipal and Circuit courts, invoke the jurisdiction of this Court under Title 28, United States Code, Section 1257(3).

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[1] Florida Constitution (1956) Art. 5, §6; Florida Statutes Annotated 26.53.

Questions Presented

1. Whether Ordinance 741 of the City of Tallahassee, Florida, establishes standards to be achieved by the bus company in the seating of its passengers which are so vague and indefinite as to violate the requirements of the due process clause of the Fourteenth Amendment to the Constitution?

2. Whether the orderly refusal of petitioners to return to seats arbitrarily assigned to them by the bus driver, pursuant to rules and regulations allegedly adopted by the bus company under color of authority conferred by the ordinance in question, can be declared and punished as a crime, without violating rights secured to petitioners by the due process clause of the Fourteenth Amendment to the Constitution?

3. Whether Ordinance 741 of the City of Tallahassee, Florida, which is a criminal ordinance, is so vague, so indefinite, and so uncertain in its terms as to be unconstitutional and void on its face?

4. Whether Ordinance 741 of the City of Tallahassee, Florida, as applied in this case, violates the equal protection clause of the Fourteenth Amendment to the Constitution in that it was applied in such a manner as to segregate the three petitioners from their three companions, solely because of their race and color.

Constitutional Provisions and Ordinances Involved

The ordinance involved in this case is Ordinance 741 of the City of Tallahassee, Florida, which was adopted on January 7, 1957, by the Tallahassee City Commission. It is set forth in Appendix D.

The case also involves the due process and equal protection clauses contained in Section 1 of the Fourteenth Amendment to the Federal Constitution which provide as follows:

> "• • • nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Statement of the Case

Petitioners boarded a bus of the Florida Associates, Inc. in the City of Tallahassee, Florida on January 19, 1957 (T. 14).[2] Petitioners were accompanied by three other persons who boarded with them (T. 15-16). When these six persons boarded the bus, the driver assigned each person to a seat (T. 13-14). Petitioner Spagna and two of the three other persons were assigned seats in front of petitioners Speed and Herndon and the third of the other persons boarding with petitioners (T. 12, 14). The other three persons were Owens, Folson and Kennedy (T. 11, 14, 46). After riding about ten blocks, each petitioner changed his seat, so that each sat with one of the other members of the group (T. 17). The driver ordered the petitioners back to the seats assigned to them (T. 16, 19, 47). Upon their refusal to return to their assigned seats, the driver offered to return their fares, which they refused (T. 19, 47). The driver then ordered them to leave the bus (T. 19, 47). Petitioners refused to leave the bus (T. 19, 47). Because of petitioners' refusal to return to their assigned seats or to leave the bus, the driver summoned the police and caused petitioners to be arrested for violating Or-

[2] The "T" references in parentheses refer to the transcript of the trial in the Municipal Court.

dinance 741 (T. 19). Both the driver and the police testified that there was no disorder or disturbance at any time (T. 32-33, 48).

Ordinance 741, as it recites, was adopted by the City Commission as an amendment to Ordinance 368 following a local challenge in the courts of the validity of Section IV of Ordinance 368 which required racial segregation on the buses (Appendix D).[3] The ordinance further recites that because of the doubtful validity of Section IV of Ordinance 368, in light of recent decisions of this Court, certain acts of violence, destruction of property and threats to the peace resulted from operation of the buses. Just prior to adoption of Ordinance 741 on January 7, 1957, and during the operation of the buses under said Section IV, the drivers operated the buses without assigning passengers to seats (T. 21). By proclamation of the Governor of Florida, dated January 1, 1957, all motor bus transportation in Tallahassee was suspended until further order of the Governor. The ordinance declares that this action was taken by the Governor because of the foregoing facts. All of these conditions, the ordinance states, resulted in an emergency necessitating the adoption of this ordinance which, in essence, makes it a crime for a person riding a public bus in Tallahassee to occupy any seat or standing space other than the seat or standing space assigned to him or her by the driver.

The ordinance purports to empower the bus company to make and enforce reasonable rules and regulations govern-

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[3] In *Cities Transit, Inc.* v. *City of Tallahassee*, 2 Race Relations Law Reporter 137 (1957), the bus company obtained a preliminary injunction against the City enjoining it from interfering with its non-segregated operation of the buses in accordance with recent decisions of this Court. The City had commenced a proceeding in the state court to compel the bus company to enforce segregation as required by Section IV of Ordinance 368. *City of Tallahassee* v. *Cities Transit, Inc.*, 2 Race Relations Law Reporter 135 (1957).

ing the seating and placement of passengers in such a manner as (1) to insure equal distribution of the weight of passengers in order to prevent accidents, (2) to insure maximum health and safety to the end that life and limb not be endangered or threatened by violence or overt acts of violence and (3) to insure peace, tranquility and good order among passengers and society generally.

But the seats assigned to petitioners were assigned to them by the driver on a wholly arbitrary basis as the record does not disclose any rules and regulations which were in fact adopted by the bus company and approved by the City Commission as required by the ordinance. The City did not prove or offer to prove, upon the trial of petitioners, that any rules or regulations had been adopted by the bus company and approved by the City Commission which conformed to the standards of the ordinance. The driver testified that he followed the orders of the company and the standards of the ordinance, yet petitioners' questioning brought out that the driver did not weigh the petitioners and had no reason to believe that where he assigned petitioners had any effect whatsoever on the weight distribution in the bus, or upon the health and safety of petitioners or other passengers, or upon the peace, tranquility and good order of the passengers or society in general (T. 30, 31-33). Petitioners also brought out on cross examination of the driver that there was no disturbance on the bus when petitioners entered or at any time thereafter (T. 32-33). Although the driver denied that he took race into consideration in the assignment of passengers and that he demanded that petitioner Spagna return to his assigned seat because Spagna sat next to a colored person when he changed his seat (T. 37), it is clear from the record in this case and the recitals of the ordinance that the only justification for requiring assignment of seats and standing space, and making otherwise lawful conduct unlawful,

is to afford a subterfuge for continuing the policy of racial segregation (T. 43).

How Federal Questions Were Raised and Disposed of

Petitioners were tried and convicted on February 27, 1957 in the Municipal Court of Tallahassee of a violation of Ordinance 741 (T. 75). At the close of the City's case, petitioners moved for a directed verdict on the ground that the ordinance violates the due process and equal protection clauses of the Fourteenth Amendment to the Federal Constitution (T. 62-69). The Municipal Court, in denying this motion, ruled that the ordinance is clothed with a presumption of constitutionality and that petitioners had brought forth nothing to demonstrate its unconstitutionality (T. 74). Petitioners were fined $500 and sentenced to 60 days in jail (R. 10, 11, 12).[4]

From the judgment of conviction, petitioners appealed to the Circuit Court of the Second Judicial Circuit of the State of Florida. In their grounds for appeal petitioners assigned the trial court's refusal to grant their motion for directed verdict as one of the grounds upon which they based their appeal (R. 7). Upon the appeal, the Circuit Court ruled that no denial of any constitutional or statutory right of petitioners was shown (R. 19). On November 18, 1957, the Circuit Court denied petitioners' motion for review of judgment on appeal (R. 25).

[4] The "R" references in parentheses refer to the record in the Circuit Court.

REASONS FOR ALLOWANCE OF WRIT

I.

The Florida courts have decided a Federal question of substance which is not in accord with applicable decisions of this Court.

A. The ordinance in question here establishes standards to be achieved by the bus company through the adoption of rules and regulations which are patently vague and indefinite, thus permitting of arbitrary action by the bus company. The bus company is required to adopt rules and regulations which will maintain peace, tranquility and good order not only among its passengers but "of society generally." As this Court recently held in *Staub* v. *City of Baxley*, —— U. S. ——, No. 48 (decided January 13, 1958), such "criteria are without semblance of definitive standard or other controlling guides," as required by the due process clause of the Fourteenth Amendment. In the context of this case, such a standard is so vague and indefinite as to permit the bus company to assign Negro and white passengers to separate seats if, in the judgment of the bus company, this will maintain the peace, tranquility and good of Tallahassee society generally, which, as the ordinance discloses, is a society which has had disturbances of the peace growing out of desegregation of the buses.[3] And, as the record in this case shows, the driver did order petitioner Spagna to return to his assigned seat after he had changed his seat and sat next to a colored person. The driver could not ascribe any other valid reason for order-

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[3] *City of Tallahassee* v. *Cities Transit, Inc.*, 2 Race Relations Law Report 135 (1957). Although it is not made clear by the ordinance or the record in this case, some disturbances of the peace apparently occurred during the time that the bus company operated the buses on a non-segregated basis just prior to adoption of Ordinance 741.

ing Spagna to return to his seat. Despite this constitutional infirmity, which appears on the face of the ordinance, the Florida courts have sustained the validity of the ordinance over petitioners' objections that the standards are repugnant to due process requirements.

B. The Florida courts have also decided that in this case—where it clearly appears that the bus driver assigned seats to petitioners on a wholly arbitrary basis and that petitioners were charged and convicted of violating an ordinance which makes it a crime to occupy any space on a bus other than the space assigned by the driver—no violation of the constitutional rights of petitioners appears. This determination is contrary to the long line of applicable decisions of this Court holding arbitrary state action which interferes with liberty of the individual violative of the due process clause of the Fourteenth Amendment to the Constitution of the United States, e.g., *Staub* v. *City of Baxley*, —— U. S. ——, No. 48, decided January 13, 1958; *Sweezy* v. *New Hampshire*, 354 U. S. 234 (1957); *Cantwell* v. *Connecticut*, 310 U. S. 296 (1940); *Lovell* v. *Griffin*, 303 U. S. 444 (1938); *Meyer* v. *Nebraska*, 262 U. S. 390 (1923); *Buchanan* v. *Warley*, 245 U. S. 60 (1917). In short, as this Court recently said in the case of *Slochower* v. *Board of Education of N. Y.*, 350 U. S. 551 (1956), "There has not been the 'protection of the individual against arbitrary action' which Mr. Justice Cardozo characterized as the very essence of due process."

C. Florida has also decided this case contrary to applicable decision of this Court by sustaining the validity of an ordinance which is so vague as to make criminal an innocent act. The ordinance in question does not specify what changes from the seat assigned by the driver constitute a crime. Ordinance 741 creates an entirely new offense. It makes conduct which has always been perfectly

lawful suddenly unlawful. It makes innocent conduct a crime. As the driver testified on the trial, a man could not select a seat next to his wife if he boarded the bus after his wife had boarded and was seated, without the express permission of the driver (T. 28). Yet the ordinance does not notify a man that he is guilty of a crime if he sits or stands next to his wife without being assigned to such space by the driver. Consequently, a person of ordinary intelligence would not know what conduct on the bus would subject him to criminal sanctions, and reasonable men could easily differ as to what conduct is included in the offense. Because of this uncertainty and indefiniteness, as this Court has repeatedly held, the ordinance in question here is void on its face for vagueness. *United States* v. *Cardiff*, 344 U. S. 174 (1952); *Winters* v. *New York*, 333 U. S. 507 (1948); *Lanzetta* v. *New Jersey*, 306 U. S. 451 (1939); *Chaplin Refining Co.* v. *Corporation Commission*, 286 U. S. 210 (1932); *Connally* v. *General Construction Co.*, 269 U. S. 385 (1926); *Yu Cong Eng* v. *Trinidad*, 271 U. S. 500 (1926); *United States* v. *Cohen Grocery*, 255 U. S. 81 (1921). In *Winters* v. *New York*, *supra*, this Court quoted language from a state case which is applicable to this case:

> "Where the statute uses words of no determinative meaning, or the language is so general and indefinite as to embrace not only acts commonly recognized as reprehensible, but also others which it is unreasonable to presume were intended to be made criminal, it will be declared void for uncertainty."

D. Finally, Florida courts have decided this case contrary to applicable decisions of this Court construing the equal protection clause of the Fourteenth Amendment to the Federal Constitution. It is clear from the recitals contained in the ordinance which constituted the basis of its enactment, from the facts of this record, and other related

cases,[6] that the ordinance is an attempt to facilitate perpetuation of the policy of segregating the races on the buses under the perennial guise of preserving the peace. *Browder* v. *Gayle*, 142 F. Supp. 707 (M. D. Ala. 1956), aff'd 352 U. S. 903 (1956). Tallahassee cannot accomplish indirectly by this ordinance that which it is prohibited from doing directly by the dictates of the requirement of equal protection; for even if the ordinance in question can be said to be fair on its face, the record discloses that here it was in fact used to separate Negro and white passengers solely because of their race, no other reason for the separation appearing. *Yick Wo* v. *Hopkins*, 118 U. S. 356 (1886).

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[6] *Cities Transit, Inc.* v. *City of Tallahassee*, 2 Race Relations Law Reporter 137 (1957); *City of Tallahassee* v. *Cities Transit, Inc.*, 2 Race Relations Law Reporter 135 (1957).

CONCLUSION

For the foregoing reasons, petitioners respectfully pray that this Court issue a writ of certiorari to the Circuit Court of the Second Judicial Circuit of Florida to review its final judgment in this case.

Respectfully submitted,

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APPENDIX A

Ruling of Municipal Court of Tallahassee, Florida, Upon Petitioners' Motion for Directed Verdict as It Appears on Page 74 of the Transcript of Proceedings in the Municipal Court

The Court: An ordinance or a law comes into court with a presumption of legality and constitutionality and nothing has been presented by way of testimony thus far to change that presumption in favor of the constitutionality and legality of this ordinance, therefore, the Court is denying the motion submitted by the Defense.

APPENDIX B

IN THE

CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT OF FLORIDA

IN AND FOR LEON COUNTY

At Law #8581

LEONARD D. SPEED, JOSEPH SPAGNA and JOHNNY HERNDON,

Appellants,

—VS.—

CITY OF TALLAHASSEE, FLORIDA,

Appellee.

FRANCISCO A. RODRIGUEZ, Tampa, *for Appellants.*

LEO L. FOSTER and EDWARD J. HILL, Tallahassee, *for Appellee.*

JUDGMENT ON APPEAL FROM THE MUNICIPAL COURT OF THE CITY OF TALLAHASSEE, FLORIDA

This cause coming on to be finally heard upon the appeal entered herein on the 4th day of March, A. D. 1957 from a judgment and sentence pronounced against appellants in the Municipal Court of the City of Tallahassee, Florida, and counsel for the r pective parties having filed briefs and orally argued t d cause before this court, and the record in said caus ving been examined and no denial of any constitutional r statutory right of appellants, or prejudicial error otherwise, having been made to appear, and the court being duly advised in the premises, it is, therefore,

CONSIDERED, ORDERED AND ADJUDGED that the order of judgment appealed from, as pronounced against each of said appellants, be and the same is hereby affirmed, and the costs incident to this appeal, in the amount of $0.00, are taxed against the said appellants.

DONE AND ORDERED at Tallahassee, Leon County, Florida, this 15th day of November, A.D. 1957.

/s/ W. MAY WALKER
W. May Walker
Circuit Judge

[SEAL]

STATE OF FLORIDA,
COUNTY OF LEON.

I, GEO. G. CRAWFORD, Clerk of the Circuit Court in and for the County aforesaid, do hereby certify that the above and foregoing copy of Judgment on appeal from Municipal Court of the City of Tallahassee, Florida, was filed for record in my office on the 15th day of November, A. D. 1957, at 11:17 o'clock A. M. and was duly recorded the same day and hour in Judgment Lien Docket No. 10 at page 161, of the public records in this office, also in Minute Book No. 35, Page 511.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court the day and year last above written.

/s/ GEO. G. CRAWFORD, *Clerk*
By Myrtle B. DeMilly, D.C.

APPENDIX C

In the

CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT OF FLORIDA

In and for Leon County

At Law #8581

Leonard D. Speed, Joseph Spagna and Johnny Herndon,

Appellants,

—vs.—

City of Tallahassee, Florida,

Appellee.

Order Denying Motion for Review of Judgment on Appeal

This cause coming on this day to be finally heard upon the motion of appellants for review of the court's final judgment entered on the 15th day of November, 1957, and counsel for the respective parties now being before the court and having argued the merits of said motion, and it now appearing to the court that the sufficiency of the evidence to sustain the conviction of the said defendants was duly considered as well as each and every other assignment of error or ground for the appeal, and the court now being otherwise duly advised in the premises, it is, therefore,

Considered, ordered and adjudged that said motion for review of the judgment of this court upon said appeal should be and the same is hereby denied.

DONE AND ORDERED at Tallahassee, Leon County, Florida, this 18th day of November, A.D. 1957.

/s/ W. MAY WALKER
W. May Walker
Circuit Judge

APPENDIX D

ORDINANCE No. 741

An ordinance amending Section IV of that certain ordinance entitled "An Ordinance granting to Florida Associates, Inc., a corporation organized and existing under the laws of the State of Florida, the authority, right and privilege to establish, maintain and operate a bus transportation system in the City of Tallahassee, Florida, for the transportation for hire of passengers and fixing the terms and conditions of such grant" passed and adopted by the City Commission on the 13th day of February, A. D. 1940, being Ordinance No. 368, as amended by Ordinance No. 659, passed and adopted by the City Commission on the 10th day of March, A. D. 1953; by providing for the making and enforcement of reasonable rules and regulations governing the seating and placing of passengers transported on motor buses for hire, and providing for penalty for the violation hereof.

WHEREAS, an emergency exists in the City of Tallahassee, in that civil actions at law were recently filed in both the Federal and State Courts of Leon County, Florida, asking for judicial interpretations as to the validity of Section IV, Ordinance 368, requiring the adoption and enforcement of operating rules providing for the segregation of the human races when more than one race is transported on motor buses operated under said ordinance; and

WHEREAS, the said Section IV of Ordinance 368 is of doubtful validity in light of recent decisions of the Supreme Court of the United States construing similar statute and ordinance provisions; and

WHEREAS, certain acts of violence and destruction of property, accompanied by threats to the safety of the

passengers being transported on the motor buses being operated under the provision of said Ordinance, and threats to the peace, tranquility and good order of society in Tallahassee, have occurred as a result of the operation of said motor buses; and

WHEREAS, because of the foregoing conditions the Governor of Florida, by official proclamation dated January 1, 1957, ordered all motor bus transportation in Tallahassee suspended until further order of the Governor, as a result of which citizens of this City are without public transportation; and

WHEREAS, IT IS CONSIDERED TO BE IN THE BEST INTEREST OF THE public, the general welfare of the City of Tallahassee, that public motor bus transportation be resumed at the earliest possible time, and in a manner that will serve the needs of the public and at the same time will insure, as nearly as practicable, that the health, life, limb and person of the passenger using this facility will not be threatened or endangered and that peace, tranquility and good order will be preserved; and

WHEREAS, the conditions recited above have created an emergency which demands prompt action by this commission, therefore an emergency is hereby declared to exist.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE:

SECTION 1. That Section IV of the City Ordinance entitled "An Ordinance granting to Florida Associates Inc., a corporation, organized and existing under the laws of the State of Florida, the authority, right and privilege to establish, maintain, and operate a bus transportation system in the City of Tallahassee, Florida for the transportation for hire of passengers and fixing the terms and conditions of such grant," passed and adopted on the 13th day of February 1940, as amended by Ordinance No. 659, passed

and adopted by the City Commission on the 10th day of March, 1953, be and the same is hereby amended to read as follows:

SECTION IV.

A. The maximum seating capacity of each motor bus operated by the Company shall be not greater than the manufacturer's rated capacity but passengers may be permitted to stand provided each such passenger is assigned a place in the bus in keeping with the provisions of Paragraph B hereof.

B. The Company shall make and enforce reasonable rules and regulations governing the seating and placement in its motor buses of passengers transported by it for hire in such a manner as to insure:

(a) An equal distribution throughout its buses of the weight of the passengers being transported, as nearly as practicable, to the end that traffic hazards likely to result in accidents or collisions may be minimized; (b) The maximum health and safety of the passengers being transported by it to the end that life, limb and person of said passengers will not be endangered or threatened by violence or overt acts of violence; and (c) That peace, tranquility and good order among said passengers being so transported, and of society generally, is preserved.

C. The rules and regulations to be adopted by the Company as required by Paragraph B hereof shall provide for the seating of its passengers for hire; shall provide for the assignment of a numbered seat for each passenger so transported, and shall provide that each passenger so transported shall occupy only the seat so assigned; and shall provide for the placement of its passengers who are permitted to stand.

D. The rules and regulations to be adopted by the Company as required by Paragraph B hereof shall be submitted to and approved by the City Commission before the same become effective and no operation under the provisions of this Ordinance shall be permitted until such rules and regulations are agreed upon between the Company and the City Commission.

E. It shall be unlawful for any person to occupy any space on any motor bus transportation facility for hire operating under the provisions of this Ordinance within the City Limit of the City of Tallahassee, other than the space assigned to said person by the Company or its agent, servants or employees operating the said transportation facility.

F. Any passenger who refuses to accept and occupy the space assigned to him, and who, upon tender of the fare paid, refuses peaceably and without disorder to remove himself from the motor bus after being requested so to do by the driver thereof, shall be guilty of violating the provisions of this Ordinance and shall be punished as provided herein.

G. The word "space" as used in this Section IV shall mean the seat or place assigned to a passenger as provided by Paragraphs A, B and C hereof.

H. The driver of any such motor bus public transportation facility may cause any person violating the provisions of this Ordinance to be delivered to the proper authority for arrest.

I. The violation of any of the foregoing provisions of this Ordinance shall be punished by a fine not exceeding Five Hundred ($500.00) Dollars, or imprisonment for a term not exceeding Sixty (60) days, or by both such fine and imprisonment.

SECTION 2. It is hereby declared to be in the interest of the City Commission that the Sections, Paragraphs, Sentences, Clauses and Phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 3. This Ordinance shall become effective immediately upon publication as required by the Charter Act of said City.

Introduced in the City Commission on the 7th day of January, 1957.

Passed the City Commission on the 7th day of January, 1957.

JOHN Y. HUMPHRESS
Mayor—Commissioner

Attest:

GEORGE C. WHITE
City Auditor and Clerk

January 8——3802